

In the Claims:

Please cancel claim 7, 11, and 15 without prejudice.

Please amend claims 1, 4, 8, 10, 12, 13, 14, and 16 as follows:

1. (currently amended) A method for implementing intelligent spin-up for a disk drive comprising the steps of:
 - receiving a command;
 - checking for a disk drive start command;
 - responsive to identifying said disk drive start command, checking a no-start flag;and
 - responsive to identifying said no-start flag being set, returning an error code without starting said disk drive; and
 - identifying a predefined dead device fault, setting said no-start flag, and storing said error code.
2. (original) A method for implementing intelligent spin-up for a disk drive as recited in claim 1 includes the step of starting said disk drive only responsive to identifying said no-start flag not being set.
3. (original) A method for implementing intelligent spin-up for a disk drive as recited in claim 2 includes the steps of monitoring said disk drive to identify a disk drive fault.
4. (currently amended) A method for implementing intelligent spin-up for a disk drive as recited in claim 3 includes the step responsive to identifying said disk drive

fault, of checking whether said identified disk drive fault is a said predefined dead device fault.

5. (original) A method for implementing intelligent spin-up for a disk drive as recited in claim 4 includes the step of responsive to identifying said predefined dead device fault with said disk drive running and said transducer heads not being loaded, setting said no-start flag and storing said error code stopping said disk drive and returning said error code.

6. (original) A method for implementing intelligent spin-up for a disk drive as recited in claim 4 wherein the step of checking whether said identified disk drive fault is said predefined dead device fault includes the step of comparing a unit error code of said identified disk drive fault with a plurality of predefined dead device (DD) unit error codes (UECs) to identify a match.

7. (canceled)

8. (currently amended) A method for implementing intelligent spin-up for a disk drive as recited in claim 7 includes the step comprising the steps of:

receiving a command;

checking for a disk drive start command;

responsive to identifying said disk drive start command, checking a no-start flag;

responsive to identifying said no-start flag being set, returning an error code

without starting said disk drive;

identifying a predefined dead device fault, setting said no-start flag, setting a no-load flag and storing said error code; and

responsive to receiving said command with said disk drive running and said transducer heads not being loaded, checking said no-load flag.

9. (original) A method for implementing intelligent spin-up for a disk drive as recited in claim 8 includes the step responsive to identifying said no-load flag being set, stopping said disk drive and returning said error code.

10. (currently amended) Apparatus for implementing intelligent spin-up for a disk drive comprising:

a disk drive controller; said disk drive controller responsive to receiving a disk drive start command, for checking a no-start flag;

said disk drive controller responsive to identifying said no-start flag being set, for returning an error code without starting said disk drive; and

said disk drive controller for starting said disk drive only responsive to said no-start flag not being set;

said disk drive controller for monitoring said disk drive to identify a predefined dead disk drive fault; and

said disk drive controller responsive to identifying a predefined dead disk drive fault, for setting said no-start flag, and for storing said error code.

11. (canceled)

12. (original) Apparatus for implementing intelligent spin-up for a disk drive as recited in claim 10 wherein said disk drive controller responsive to identifying a predefined dead disk drive fault, for setting a no-load flag.

13. (currently amended) Apparatus for implementing intelligent spin-up for a disk drive ~~as recited in claim 10 wherein comprising:~~
a disk drive controller; said disk drive controller responsive to receiving a disk drive start command, for checking a no-start flag;
said disk drive controller responsive to identifying said no-start flag being set, for returning an error code without starting said disk drive;
said disk drive controller for starting said disk drive only responsive to said no-start flag not being set; and
said disk drive controller responsive to identifying said no-load flag being set with said disk drive running and transducer heads not being loaded, for stopping said disk drive and returning said error code.

14. (currently amended) A computer program product for implementing intelligent spin-up for a disk drive, said computer program product including a plurality of computer executable instructions stored on a computer readable medium, wherein said instructions, when executed by a disk drive controller in the disk drive, cause the disk drive controller to perform the steps of:
receiving a command;
checking for a disk drive start command;
responsive to identifying said disk drive start command, checking a no-start flag;
responsive to identifying said no-start flag being set, returning an error code without starting said disk drive; and
starting said disk drive only responsive to identifying said no-start flag not being

set;

monitoring said disk drive to identify a predefined dead disk drive fault; and
responsive to identifying a predefined dead disk drive fault, setting said no-start
flag, and storing said error code.

15. (canceled)

16. (currently amended) A computer program product for implementing intelligent spin-up for a disk drive, ~~as recited in claim 15 wherein said instructions, when executed by a disk drive controller in the disk drive, further cause the disk drive controller to perform the steps of:~~

said computer program product including a plurality of computer executable instructions stored on a computer readable medium, wherein said instructions, when executed by a disk drive controller in the disk drive, cause the disk drive controller to perform the steps of:

receiving a command;

checking for a disk drive start command;

responsive to identifying said disk drive start command, checking a no-start flag;

responsive to identifying said no-start flag being set, returning an error code

without starting said disk drive;

starting said disk drive only responsive to identifying said no-start flag not being

set;

receiving said command with said disk drive running and transducer heads in said disk drive not being loaded; and

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responsive to identifying said no-load flag being set, stopping said disk drive and returning said error code.